

**MICHAEL I. FUCHS ATTORNEY AFFIRMATION:**  
**ATTORNEY OF RECORD FOR G.M.G.**

I, Michael I. Fuchs, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct to the best of my knowledge.

- 1) My name is Michael I. Fuchs. I am a member in good standing of the Massachusetts and New York State Bars. I am a volunteer *pro bono* attorney with the Political Asylum/Immigration Representation (PAIR) Project which provides free legal services to individuals seeking humanitarian relief, including noncitizens detained by Immigration and Customs Enforcement (ICE). I represent G.M.G. in his removal and bond proceedings. I first entered my appearance in the Chelmsford Immigration Court on G.M.G.'s behalf on April 15, 2025. I believe that my client, G.M.G., is at grave risk of being designated as an alien enemy based on the government's false allegations that he is a member of the Tren de Aragua (TdA) gang.
- 2) G.M.G. was born in Valencia, Carabobo State, Venezuela in 2000. He is now 24 years old.
- 3) G.M.G. has disclosed to me that while in Venezuela, he was repeatedly detained and threatened without justification by the state police because he refused to join government sympathizers and TdA. The police officers accused him of being part of the political opposition because of his refusal to join these organizations. G.M.G. fears he will be arrested, tortured and killed by the police and/or TdA if he returns to Venezuela.
- 4) G.M.G. entered the United States on or about November 29, 2023, along with his fiancée and her son, near El Paso, TX and expressed to immigration officers his fear of returning to Venezuela. He was released on his own recognizance a few weeks after that, around December 11, 2023. DHS subsequently filed a Notice to Appear in immigration court, commencing removal proceedings.
- 5) After his release in December 2023, G.M.G. went to live and work, first in Massachusetts, and then Rhode Island. G.M.G. has had a pending application for asylum, withholding, and protection under the Convention Against Torture since August 2024. He received a work permit and started working as a barber, and updated his address with the Immigration Court to his work address.
- 6) On March 26, 2025, G.M.G. was suddenly arrested while at work (at the same address he provided to the government) by agents from ICE, FBI, DEA and local police. G.M.G. had been watching his fiancée's son when detained, and he had to leave him in the custody of the barbershop's manager until he was allowed a phone call to his fiancée to let her know about his detention.
- 7) G.M.G. is currently held in immigration custody at the Wyatt Detention Facility in Central Falls, RI.
- 8) After his arrival at Wyatt, officers met with G.M.G. at the facility without a Spanish interpreter and gave him a document in English. G.M.G. is a native Spanish speaker, and does not read or understand English. G.M.G. signed the document because another detainee

translated it and told him it was a document that stated he was **NOT** in a gang and that ICE was going to review his tattoos and interview him later.

- 9) On approximately April 15, 2025, officers again met with G.M.G. at Wyatt without a Spanish interpreter and asked him to sign another document in English. Another detainee translated it and told G.M.G. it was a document to confirm that he was a gang member. G.M.G. refused to sign this document because he is not and has never been a member of TdA or any gang.
- 10) On May 1, 2025, the Immigration Judge in Chelmsford Immigration Court held a bond hearing for G.M.G.
- 11) On April 30, 2025, DHS submitted an evidence packet to the Immigration Court in opposing bond. The submission included an I-213 form in which DHS:
  - a) alleged that G.M.G. “has been identified as a Member/Active of Tren de Aragua”;
  - b) stated that G.M.G. “has no criminal history” and further has “no known criminal history”;
  - c) described and photographed 9 tattoos on G.M.G.’s body, claiming two indicated membership in TdA.
- 12) Counsel for DHS argued at the bond hearing on May 1 that G.M.G. was not eligible for bond as a member of a foreign terrorist organization, TdA, based solely on G.M.G.’s tattoos. The Immigration Judge did not allow G.M.G. to testify. The Immigration Judge went on to hold that G.M.G. was not bond eligible. G.M.G. intends to appeal the Immigration Judge’s decision.
- 13) G.M.G. denies any association with TdA or any other gang. None of the tattoos are TdA-related, and he obtained each one for personal reasons. For example, one tattoo is an image from a video game that he plays; another says “Family”; several reflect his interest in Greek mythology; and one is of a rose with the name of his late mother, “Evenia.”
- 14) I am unaware of any criminal history for G.M.G. in the United States and G.M.G. denies that he has any criminal history here. I am unaware of any criminal history in Venezuela and G.M.G. denies that he has any criminal history there. As noted above, the I-213 filed by the government on April 30 states that G.M.G. has no known criminal record.
- 15) G.M.G.’s next immigration court date is on May 15, 2025. However, I am concerned that he may be transferred out of the Wyatt Detention Facility because G.M.G. reports that detainees have been quickly transferred from Wyatt with no notice following denials in bond hearings. If G.M.G. is transferred, it will be very difficult to effectively represent him as I am now able to make personal visits along with an interpreter as needed to the Wyatt facility. It will be very difficult to communicate with G.M.G. if he is transferred from Wyatt to a location in a different part of the United States.
- 16) I am aware from news reports that on March 15, 2025, DHS transferred a group of Venezuelan men and flew them to the Terrorism Confinement Center (“CECOT”) in El Salvador. Based on knowledge and belief, there were people in that group who were

similarly situated to G.M.G. because they had tattoos that the government claimed were linked to TdA. I believe that G.M.G. is at grave risk of being designated as an alien enemy pursuant to the President's Proclamation.

- 17) G.M.G. has consistently expressed his fear of return to Venezuela because he was identified as being part of the political opposition and was repeatedly detained by the police. G.M.G. has also expressed his fear of being sent to CECOT in El Salvador, where he fears being targeted by gang members and mistreated by Salvadoran officials.

I, Michael I. Fuchs, swear under penalty of perjury that the foregoing declaration is true and correct to the best of my knowledge and recollection.

/s/ Michael I. Fuchs

Michael I. Fuchs, Esq.

Executed this 4th day of May 2025.